Acknowledgment and Notice of Acknowledgment of Acceptance of R.S. 2477 Right-of-Way Grant Ent 103045 Bk 892 Pg 766-778
Date: 29-MAY-2008 9:38AM
Fee: None
Filed By: LCJ
LOUISE JONES, Recorder
SAN JUAN COUNTY CORPORATION
For: GOVERNOR STATE OF UTAH

THE STATE OF UTAH

TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:

Know ye, This is an Acknowledgment and Notice of Acknowledgment made under Utah Code Sections 72-5-309 through 310 inclusive, that the grant of the United States of America of "the right of way for the construction of highways over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its political subdivision San Juan County as it pertains to the highway located in San Juan County known as HECLA ROAD; County Road Number: B116; State Geographic Information Database (SGID) Road Identification Number: RD190032. Total road length is 2.26 miles more or less.

The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) the October 21, 1976 repeal of R.S. 2477 or (b) the date the servient estate was reserved for public uses.

This Acknowledgment and Notice of Acknowledgment applies only to the segments of the road that traverse land owned by the Bureau of Land Management, United States Department of the Interior, and does not apply to segments of the road that traverse land owned by any other person or entity. The State of Utah and its political subdivisions reserve the right to make further acknowledgments and notices of acknowledgment with regard to road segments that traverse land owned by other entities, including the United States of America, through one or more of its agencies.

A printed copy of a map showing the location of the road in said county is appended hereto as "Attachment 1," a printed copy of representative photos of the road is appended hereto as "Attachment 2," a printed copy of a description of the beginning and ending points of the entire road together with a list of Townships, Ranges and Sections that may be traversed by the road in said county is appended hereto as "Attachment 3," and a printed copy of the Road Centerline Description Cover Page(s) is appended hereto as "Attachment 4." The Appendices listed in "Attachment 4" that contain the actual road centerline descriptions are incorporated herein by reference. Affidavits provided by individuals familiar with the road are appended hereto as "Attachment 5."

A printed copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or obtained at the office of the Utah State Archives.

An electronic copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or downloaded as read-only PDF (Portable Document Format) files via the

Internet at http://recorded2477roads.utah.gov.

The owner of the servient estate in the land underlying the road-segments subject to this Acknowledgment and Notice is believed to be the United States of America through one or more of its agencies. Any of such agencies or any other person with a servient ownership claim or a competing dominant estate right-of-way ownership claim, may file a petition in the State District Court for Salt Lake County for a decision regarding the correctness of this Acknowledgment. A claimant shall file a petition within sixty (60) days after receipt of this Notice.

In Witness Whereof, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Acknowledgment and Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 22 day of May, 200 8.

By the Governor's Designee

CERTIFICATION

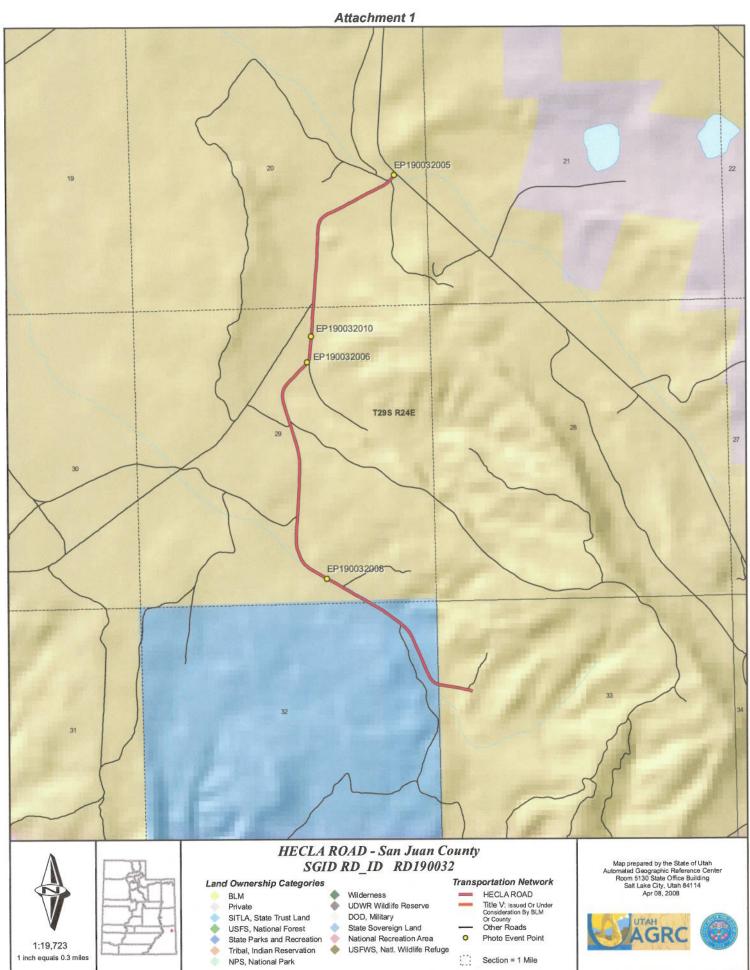
State of Utah)	
	:	SS
County of Salt Lake)	

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

NOTARY PUBLIC PAMELA Z. BLACKHAM 5110 State Office Bldg Salt Lake City, Utah 84114 Dated this 22 rd day of May, 2008.

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EP000000000

HECLA ROAD - San Juan County SGID RD_ID RD190032

Map prepared by the State of Utah Automated Geographic Reference Center Room 5130 State Office Building Salt Lake City, Utah 84114 April 11, 2008



Attachment 3

Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: HECLA ROAD

County: San Juan

County Road Number: B116

State Geographic Information Database (SGID) Road Identification Number: RD190032.

Total Road Length: 2.26 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 14 minutes 25.37 seconds North Latitude and -109 degrees 17 minutes 21.61 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,275,295.0 feet and Y = 10,423,035.8 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 15 minutes 56.69 seconds North Latitude and -109 degrees 17 minutes 35.98 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,273,930.9 feet and Y = 10,432,244.1 feet based on the US Survey Foot conversion.

This road may traverse:

Township 29 South Range 24 East, Section(s) 20,29,32,33, Salt Lake Base & Meridian See Attachment 1 above for a cartographic depiction of the course of this road.

Attachment 4 Road Centerline Description Cover Page(s)

Popular Name: HECLA ROAD

County: San Juan

County Road Number: B116

State Geographic Information Database (SGID) Road Identification Number: RD190032.

Total Road Length: 2.26 miles more or less.

Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (SGID).

Road-Segments Listed by SGID Road Identification Number (RD ID)	Road-Segment Numbers	Believed Ownership Of Servient Estate	Approximate Segment Length	See Attached Appendix
RD190032	001	BLM	0.12 Miles	A
RD190032	002	ST	0.4 Miles	(not shown)
RD190032	003	BLM	1.75 Miles	В
		Total Road Length	2.26	

^{*} Indicates that a Title V permit will be requested, is in process, or has been issued.

 $[\]dagger$ Indicates that road-segments crossing Forest Service land are under consideration by the state and county as of the date of this Acknowledgment and Notice of Acknowledgment.

Attachment 5

AFFIDAVIT OF LYNN L. ADAMS

HECLA ROAD

SAN JUAN COUNTY, UTAH

COUNTY ROAD NUMBER B116

State of Utah)	
	: ss	
County of San Juan)	

Lynn L. Adams, being first duly sworn, deposes and states as follows:

- I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in San Juan County, Utah. I have lived in San Juan County for 82 years. I worked for the San Juan County Roads Department from 1961 to 1987.
- 2. I have traveled and am familiar with a road in San Juan County known as Hecla Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1939, it followed the same route as in 2007, when I last observed it. Attached is a San Juan County map showing Hecla Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
- I am informed that the County identifies this road according to the road number described above.
- 4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1939 and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including: car, truck, pickup, motorcycle, and ATV. Throughout this time period, the road has been used daily,

weather permitting, for more than 10 continuous years prior to 1976 and was used daily, weather permitting, in 2007.

- Throughout the time period from 1939 to 2007, I have used the road myself for the following uses: maintenance services and livestock operations.
- 6. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph, plus the following uses: hunting, ranching, mineral prospecting, wood gathering, and oil and gas exploration.
- 7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1930s and continuing through 1976 to the present, for the uses described in the previous paragraphs.
 - I personally performed maintenance activities prior to 1976.

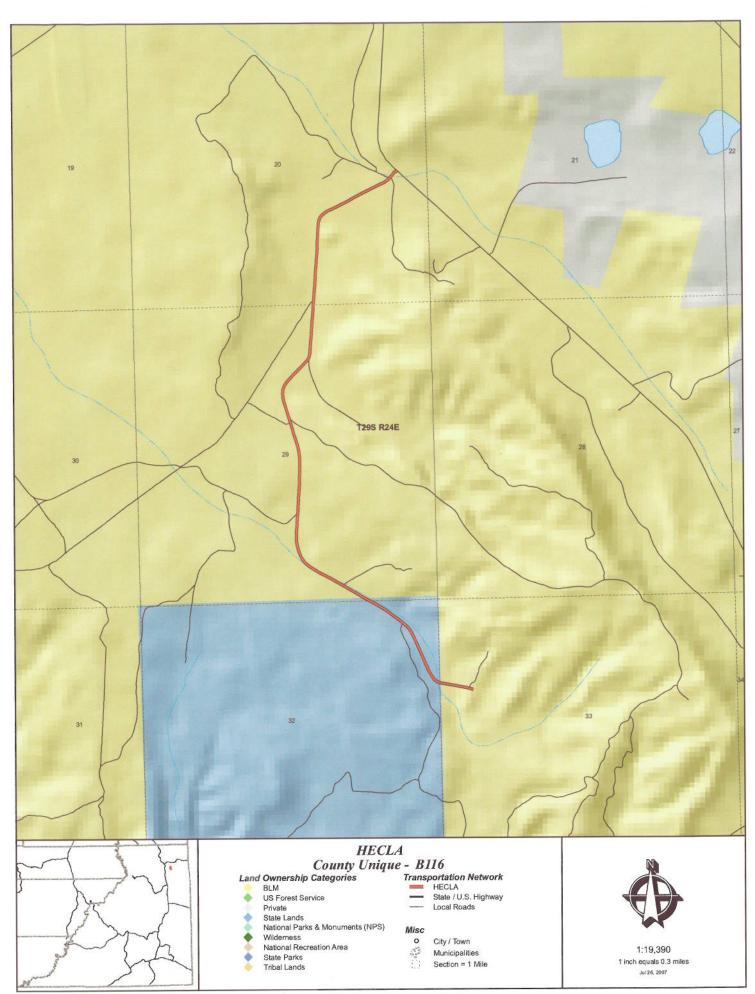
Dated this _____ day of September, 2007.

SUBSCRIBED AND SWORN TO before me this day of September, 2007.

Notary Public
GLORIA SCHRADER
5110 State Office Bidg.
Salt Lake City, UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

Notary Public

Lynn L. Adams Lynn L. Adams



AFFIDAVIT OF CHARLES HARDISON REDD

HECLA ROAD

SAN JUAN COUNTY, UTAH

COUNTY ROAD NUMBER B116

State of Utah)
	: SS
County of San Juan)

Charles Hardison Redd, being first duly sworn, deposes and states as follows:

- I am an adult competent to testify about the matters set forth below based upon
 my personal knowledge. I currently reside in San Juan County, Utah. I have lived in San Juan
 County for 70 years.
- 2. I have traveled and am familiar with a road in San Juan County known as Hecla Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1960, it followed the same route as in 2006, when I last observed it. Attached is a San Juan County map showing Hecla Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
- I am informed that the County identifies this road according to the road number described above.
- 4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1960 and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by various means, including: jeep, pickup, automobile, mining equipment and ore truck. Throughout this time period, the

road has been used daily for more than 10 continuous years prior to 1976, and is presently used weekly.

- Throughout the time period from 1960 to 2006, I have used the road myself for the following uses: accessing mines.
- 6. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph, plus the following uses: ore hauling, mining, wood gathering, prospecting and hunting.
- 7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1960 and continuing through 1976 to the present, for the uses described in the previous paragraphs.
- 8. I observed the following evidence of construction and maintenance performed on the road prior to 1976: paved surfaces.

Dated this _____day of September, 2007.

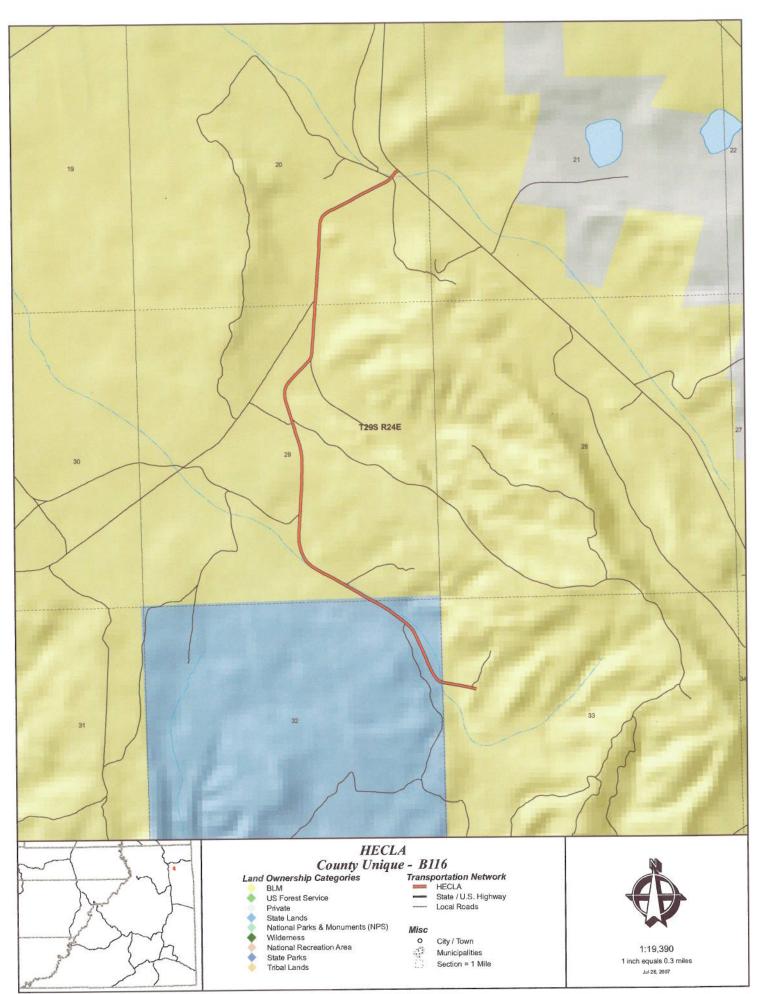
Charles Hardison Redd

SUBSCRIBED AND SWORN TO before me this Handay of September, 2007.

Notary Public
GLORIA SCHRADER
5110 State Office Bidg.
Salt Lake City. UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

Sloria Schrald

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Appendix A to Attachment 4

Popular Name: HECLA ROAD

County: San Juan

County Road Number: B116

State Geographic Information Database (SGID) Road Identification Number: RD190032.

Road-Segment Number: 001

Road-Segment Length: 0.12 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 29 South Range 24 East, Section(s) 33, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (HECLA ROAD)-- Segment 001 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 38 degrees 14 minutes 25.37 seconds North Latitude and -109 degrees 17 minutes 21.61 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,275,295.0 feet and Y = 10,423,035.8 feet; thence the following courses along the said road center line:

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thence North 72 Degrees 51 Minutes 55 Seconds West 59.2 feet thence North 77 Degrees 03 Minutes 17 Seconds West 80.2 feet thence North 78 Degrees 44 Minutes 23 Seconds West 90.1 feet thence North 79 Degrees 09 Minutes 20 Seconds West 86.6 feet thence North 81 Degrees 11 Minutes 43 Seconds West 76.8 feet thence North 79 Degrees 47 Minutes 38 Seconds West 68.4 feet thence North 80 Degrees 30 Minutes 11 Seconds West 65.6 feet thence North 79 Degrees 54 Minutes 41 Seconds West 63.7 feet
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thence North 77 Degrees 05 Minutes 30 Seconds West 17.5 feet more or less to **the ending point at:** 38 degrees 14 minutes 26.69 seconds North Latitude and -109 degrees 17 minutes 29.04 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet

coordinates of X = 2,274,699.2 feet and Y = 10,423,154.9 feet.

Appendix B to Attachment 4

Popular Name: HECLA ROAD

County: San Juan

County Road Number: B116

State Geographic Information Database (SGID) Road Identification Number: RD190032.

Road-Segment Number: 003

Road-Segment Length: 1.75 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse: Township 29 South Range 24 East, Section(s) 20,29, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (HECLA ROAD)-- Segment 003 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 38 degrees 14 minutes 41.86 seconds North Latitude and -109 degrees 17 minutes 45.41 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,273,356.8 feet and Y = 10,424,658.4 feet; thence the following courses along the said road center line:

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thence North 59 Degrees 36 Minutes 37 Seconds West 54.3 feet thence North 60 Degrees 06 Minutes 46 Seconds West 127.9 feet thence North 59 Degrees 47 Minutes 56 Seconds West 124.1 feet thence North 60 Degrees 07 Minutes 07 Seconds West 118.8 feet thence North 60 Degrees 39 Minutes 07 Seconds West 114.8 feet thence North 60 Degrees 50 Minutes 59 Seconds West 116.8 feet thence North 61 Degrees 03 Minutes 26 Seconds West 119.6 feet thence North 61 Degrees 31 Minutes 10 Seconds West 117.9 feet thence North 60 Degrees 03 Minutes 01 Seconds West 116.6 feet thence North 58 Degrees 58 Minutes 21 Seconds West 116.8 feet thence North 48 Degrees 48 Minutes 13 Seconds West 109.9 feet
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thence North 34 Degrees 58 Minutes 44 Seconds West 104.9 feet
thence North 23 Degrees 15 Minutes 52 Seconds West 107.6 feet
thence North 16 Degrees 31 Minutes 39 Seconds West 108 feet
thence North 08 Degrees 54 Minutes 39 Seconds West 109.5 feet
thence North 01 Degrees 14 Minutes 22 Seconds West 119.5 feet
thence North 04 Degrees 25 Minutes 15 Seconds East 131.7 feet
thence North 04 Degrees 04 Minutes 54 Seconds East 133.3 feet
thence North 03 Degrees 04 Minutes 16 Seconds East 128.5 feet
thence North 03 Degrees 31 Minutes 07 Seconds East 123.3 feet
thence North 03 Degrees 33 Minutes 35 Seconds East 122 feet
thence North 03 Degrees 04 Minutes 50 Seconds East 117 feet
thence North 02 Degrees 31 Minutes 03 Seconds East 113.7 feet
thence North 02 Degrees 04 Minutes 10 Seconds East 111.3 feet
thence North 02 Degrees 15 Minutes 27 Seconds East 103.1 feet
thence North 00 Degrees 19 Minutes 39 Seconds East 90.6 feet
thence North 00 Degrees 09 Minutes 53 Seconds East 81.7 feet
thence North 03 Degrees 21 Minutes 02 Seconds West 92.3 feet
thence North 06 Degrees 08 Minutes 48 Seconds West 106.2 feet
thence North 12 Degrees 41 Minutes 32 Seconds West 108.5 feet
thence North 15 Degrees 33 Minutes 56 Seconds West 107.1 feet
thence North 18 Degrees 23 Minutes 08 Seconds West 103.6 feet
thence North 15 Degrees 45 Minutes 23 Seconds West 96 feet
thence North 18 Degrees 09 Minutes 36 Seconds West 83.4 feet
thence North 18 Degrees 15 Minutes 51 Seconds West 76.6 feet
thence North 17 Degrees 35 Minutes 44 Seconds West 21 feet
thence North 17 Degrees 41 Minutes 06 Seconds West 62.6 feet
thence North 16 Degrees 48 Minutes 23 Seconds West 95.8 feet
thence North 18 Degrees 09 Minutes 04 Seconds West 102.7 feet
thence North 16 Degrees 05 Minutes 27 Seconds West 103.7 feet
thence North 07 Degrees 38 Minutes 06 Seconds West 97.6 feet
thence North 04 Degrees 52 Minutes 47 Seconds East 87.3 feet
thence North 20 Degrees 39 Minutes 21 Seconds East 78 feet
thence North 35 Degrees 19 Minutes 45 Seconds East 75.5 feet
thence North 41 Degrees 11 Minutes 17 Seconds East 83.2 feet
thence North 44 Degrees 52 Minutes 01 Seconds East 81.9 feet
thence North 43 Degrees 43 Minutes 01 Seconds East 80.8 feet
thence North 43 Degrees 35 Minutes 38 Seconds East 83.8 feet
thence North 44 Degrees 12 Minutes 03 Seconds East 79.1 feet
thence North 43 Degrees 10 Minutes 01 Seconds East 69.2 feet
thence North 42 Degrees 58 Minutes 09 Seconds East 7.7 feet
thence North 40 Degrees 11 Minutes 27 Seconds East 17.7 feet
thence North 43 Degrees 25 Minutes 54 Seconds East 31.3 feet
thence North 44 Degrees 42 Minutes 17 Seconds East 3.2 feet
thence North 26 Degrees 24 Minutes 08 Seconds East 63.5 feet
thence North 06 Degrees 42 Minutes 06 Seconds East 72.7 feet
thence North 04 Degrees 32 Minutes 29 Seconds East 85.6 feet
thence North 05 Degrees 24 Minutes 55 Seconds East 92.3 feet
thence North 04 Degrees 29 Minutes 03 Seconds East 98.5 feet
thence North 04 Degrees 46 Minutes 49 Seconds East 100.1 feet
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thence North 03 Degrees 05 Minutes 36 Seconds East 99.9 feet
thence North 03 Degrees 48 Minutes 16 Seconds East 96.4 feet
thence North 03 Degrees 45 Minutes 42 Seconds East 92.8 feet
thence North 04 Degrees 21 Minutes 29 Seconds East 84.9 feet
thence North 03 Degrees 08 Minutes 56 Seconds East 71 feet
thence North 03 Degrees 59 Minutes 55 Seconds East 30.2 feet
thence North 03 Degrees 59 Minutes 16 Seconds East 22.4 feet
thence North 05 Degrees 12 Minutes 37 Seconds East 27.4 feet
thence North 05 Degrees 04 Minutes 54 Seconds East 28 feet
thence North 04 Degrees 30 Minutes 46 Seconds East 70.5 feet
thence North 03 Degrees 57 Minutes 20 Seconds East 97.4 feet
thence North 03 Degrees 47 Minutes 26 Seconds East 110.5 feet
thence North 03 Degrees 49 Minutes 32 Seconds East 114.2 feet
thence North 03 Degrees 37 Minutes 39 Seconds East 115.1 feet
thence North 04 Degrees 15 Minutes 31 Seconds East 111.6 feet
thence North 03 Degrees 29 Minutes 46 Seconds East 109.2 feet
thence North 04 Degrees 29 Minutes 00 Seconds East 106.4 feet
thence North 02 Degrees 46 Minutes 29 Seconds East 104.2 feet
thence North 02 Degrees 43 Minutes 39 Seconds East 99.6 feet
thence North 03 Degrees 13 Minutes 57 Seconds East 96 feet
thence North 01 Degrees 45 Minutes 54 Seconds East 91.3 feet
thence North 04 Degrees 20 Minutes 25 Seconds East 85.3 feet
thence North 05 Degrees 57 Minutes 19 Seconds East 69.3 feet
thence North 10 Degrees 41 Minutes 51 Seconds East 46.5 feet
thence North 22 Degrees 30 Minutes 34 Seconds East 31.3 feet
thence North 15 Degrees 39 Minutes 01 Seconds East 4.8 feet
thence North 13 Degrees 44 Minutes 28 Seconds East 1.4 feet
thence North 19 Degrees 41 Minutes 17 Seconds East 7.7 feet
thence North 33 Degrees 39 Minutes 50 Seconds East 38.8 feet
thence North 46 Degrees 04 Minutes 59 Seconds East 67.5 feet
thence North 58 Degrees 53 Minutes 46 Seconds East 83.3 feet
thence North 64 Degrees 13 Minutes 27 Seconds East 93 feet
thence North 64 Degrees 02 Minutes 39 Seconds East 102.3 feet
thence North 63 Degrees 17 Minutes 50 Seconds East 107 feet
thence North 61 Degrees 57 Minutes 17 Seconds East 106.4 feet
thence North 61 Degrees 10 Minutes 04 Seconds East 102.3 feet
thence North 61 Degrees 46 Minutes 41 Seconds East 98.8 feet
thence North 61 Degrees 10 Minutes 27 Seconds East 94.1 feet
thence North 61 Degrees 51 Minutes 02 Seconds East 91.3 feet
thence North 62 Degrees 34 Minutes 45 Seconds East 90 feet
thence North 64 Degrees 41 Minutes 17 Seconds East 81.5 feet
thence North 63 Degrees 41 Minutes 46 Seconds East 75.6 feet
thence North 62 Degrees 54 Minutes 32 Seconds East 72.8 feet
thence North 54 Degrees 23 Minutes 05 Seconds East 70.4 feet
thence North 47 Degrees 29 Minutes 17 Seconds East 66.9 feet
thence North 40 Degrees 24 Minutes 19 Seconds East 61.9 feet
thence North 38 Degrees 39 Minutes 17 Seconds East 50.6 feet
thence North 61 Degrees 22 Minutes 28 Seconds East 42.9 feet
thence North 60 Degrees 33 Minutes 25 Seconds East 19.5 feet more or less to the ending
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point at: 38 degrees 15 minutes 56.69 seconds North Latitude and -109 degrees 17 minutes 35.98 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,273,930.9 feet and Y = 10,432,244.1 feet.